

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

JINKS, DANIEL & CROW, P.C.,

Plaintiff,

v.

**COMMUNITY BANK AND TRUST OF
SOUTHEAST ALABAMA, UNITED
STATES DEPARTMENT OF
TREASURY, INTERNAL REVENUE
SERVICE,**

Defendants.

**CIVIL ACTION NO.
2:05cv940-T**

JOINT MOTION FOR FINAL CONSENT JUDGMENT

The parties to the above-styled action by and through their counsel of record jointly move this Court for the entry of the proposed Final Consent Judgment in the form attached hereto and incorporated herein by reference, and also give notice that the information needed by the Clerk's Office to comply with the Final Consent Judgment and the requirements for the payment of interpleader funds has been provided by separate document.

Respectfully submitted,

/s/ Janie S. Gilliland

Janie S. Gilliland

Attorney for Plaintiff

PO Box 241345
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/s/ James T. Lyons

James T. Lyons

Attorney for Department of Justice

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/s/ Anne Stone Sumblin

Anne Stone Sumblin

Attorney for Community Bank & Trust

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

JINKS, DANIEL & CROW, P.C.,)	
)	
Plaintiff,)	
)	
v.)	
)	
COMMUNITY BANK AND TRUST OF)	CIVIL ACTION NO.
SOUTHEAST ALABAMA, UNITED)	2:05cv940-T
STATES DEPARTMENT OF TREASURY,)	
INTERNAL REVENUE SERVICE,)	
)	
Defendants.)	
)	

FINAL CONSENT JUDGMENT

Pursuant to the Joint Motion filed by all of the parties in the above-styled action, by and through their counsel of record, for the entry of a Final Consent Judgment, it is hereby

ORDERED, ADJUDGED, and DECREED, that the Clerk of this Court shall disburse immediately the funds in the principal amount of \$56,438.97, plus accrued interest, that are held by the Clerk as a result of this interpleader action (the "Interpleader Funds") in the following manner and in the following amounts:

1. A cashier's or certified check in the amount of \$34,000 shall be made payable to the "Internal Revenue Service" and shall bear a notation as to the taxpayer "AA Adams Construction Company" and its employer identification number, and the check shall be delivered by the Clerk to James T. Lyons, attorney for defendant Internal Revenue Service ("IRS"), at U. S. Department of Justice, ATTN: James T. Lyons, PO Box 14198, Washington, DC 20044;

2. A check in the amount of \$20,900 shall be made payable to "Community Bank & Trust of SE Alabama" and the check shall be delivered by the Clerk to Anne Stone Sumblin, attorney for defendant Community Bank & Trust, at PO Box 345, Kinston AL 36453; and

3. A check in the amount of (a) \$1,538.97, the remaining principal balance of the Interpleader Funds after the payments to the IRS and to CB&T as set forth above, plus (b) all of the net accrued interest on the Interpleader Funds through the date of disbursement after the deduction by the Clerk of 10% of the total accrued interest for payment to the U.S. Government, shall be made payable to "Janie Gilliland, As Attorney for Plaintiff Jinks, Daniel & Crow, P.C." and the check shall be delivered by the Clerk to Janie Gilliland, attorney for plaintiff, at PO Box 241345, Montgomery, AL 36124-1345.

It is further ORDERED, ADJUDGED, and DECREED that, upon the disbursement of the Interpleader Funds as provided herein, this matter shall be dismissed with prejudice and with each party to bear its own costs.

Done this _____ day of _____ 2006.

Hon. Myron H. Thompson
U.S. District Judge

cc: Counsel of Record